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Mail Stop AMENDMENT
Attorney Docket No. 26230

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: DIETRICH, et al.
Serial No.: 10/505,138
Filing Date: August 19, 2004
Art Unit: 1618
Examiner: Silverman, E.
Conf. No.: 1681
Title: **ORAL DOSAGE FORM CONTAINING A PDE 4 INHIBITOR AS AN ACTIVE
INGREDIENT AND POLYVINYLPIRROLIDON AS EXCIPIENT**

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450


Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

1. Information Disclosure Statement;
2. PTO Form-1449 with five (5) references cited and copies of three (3) references; and
3. Check no. 5870 in the amount of \$180.00, for the filing of the Information Disclosure Statement.

Respectfully submitted,
THE NATH LAW GROUP

Date: February 19, 2008


Gary M. Nath, Reg. No. 26,965
Sheldon M. McGee, Reg. No. 50,454
Customer No. 34375



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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. 1.97-1.98. Please note the following particulars: [NOTE: One only of items a, b, c, and d must be checked.]

a. ☐ The enclosed first statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.

b. ☒ The enclosed first statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311.

The enclosed first statement is accompanied by [check one]:

- ☐ i. a certification in part (e) below as specified in 37 C.F.R. 1.97(e), or
☒ ii. a check in the amount required by 37 C.F.R. 1.17(p).

c. ☐ The enclosed first statement is being filed after the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311, but before payment of the issue fee.

- ☐ Certification report(e) below; and
☐ a check in the amount as required by 1.17(p).

d. ☐ The enclosed first statement is being filed pursuant to 37 C.F.R. 1.97(i), for placement in the file.

e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]
☐ I hereby certify that each item of information contained in the enclosed first Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,

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- or
- [] I hereby certify that no item of information in the enclosed first Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this first Information Disclosure Statement.
- or
- [] Appropriate certification is attached.
- f. [XXX] If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.
- g. [XXX] Copies of the documents are attached herewith with a completed first PTO Form-1449.
- or
- [] Copies of the documents are not attached, with a completed first PTO Form-1449 as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as: _____.
- and / or
- [XXX] Copies of US Patents/Publications not attached, with a completed first PTO Form-1449 as allowed in Official Gazette Aug. 5, 2003/ Vol. 1273, no. 1.

The Examiner is respectfully requested to cite the documents listed on the attached first PTO Form-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the first PTO Form-1449, and return a copy of the initialed first PTO Form-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,
THE NATH LAW GROUP

Date: February 19, 2008



Gary M. Nath, Reg. No. 26,965
Sheldon M. McGee, Reg. No. 50,454
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